HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.12767 of 2005

05-08-2005

Between:

Alapati Venu

…Petitioner.

And

Andhra Pradesh State Road Transport Corporation,

Musheerabad, Hyderabad, rep.by its

Managing Director and others.

…Respondents.

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ORDER :

The petitioner was given licence to run a Canteen at New Bus Station, Siddipet. He paid Security Deposit to a tune of Rs.5,46,480/-. After expiry of the licence period, when he asked for refund of the Security Deposit, the Depot Manager, A.P.State Road Transport Corporation(APSRTC), Siddipet, by Office order dated 6-7-2004 arrived at Rs.2,91,168/- as refundable amount and that an amount of Rs.2,55,312/- is recoverable from the petitioner towards electricity bills, water charges, arrears of rent etc. When the amount was not paid, as determined, the petitioner filed the present writ petition.

Though interlocutory application is coming up for considering, the matter is heard and is being disposed of finally with the consent of the parties.

Insofar as refund of recoverable amount is concerned, the same being a question of fact, the writ petition is not a proper remedy. Liberty is given to the petitioner to seek appropriate common law remedy for the amount of Rs.2,55,312/-. Insofar as the balance amount is concerned, Ms.Kalyani, Advocate, representing Sri V.T.M. Prasad, learned standing counsel
for APSRTC, today handed over a cheque bearing No.550302, dated 5-8-2005 for an amount of Rs.2,91,168/- (Rupees two lakhs ninety one thousand one hundred and sixty eight only) drawn on State Bank of Hyderabad, Siddipet Branch, in favour of the petitioner. The same is acknowledged by the learned counsel for the petitioner Sri N.Subba Rao.

In view of the same, the writ petition is disposed of giving liberty to the petitioner to seek appropriate common law remedies for the balance amount. No costs.

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(V.V.S.RAO, J.)

05-08-2005

Msr.

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(Msr)